

QUIN DENVIR, Bar #49374
Federal Defender
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Attorney for Defendant
ALLEN RAY JORDAN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. CR-S-96-0475 FCD
)	
Plaintiff,)	
)	
v.)	DEFENDANT'S EX PARTE MOTION FOR
)	ORDER RELEASING PROPERTY;
)	PROPOSED ORDER
ALLEN RAY JORDAN,)	
)	Judge: Hon. Frank C. Damrell
Defendant.)	
)	
)	

Defendant ALLEN RAY JORDAN is currently set to be resentenced after appeal on October 11, 2005 at 2:00 p.m. Mr. Jordan has resided at FCI Lompoc for approximately five years and has been moved to the Sacramento County Jail awaiting sentencing hearing of October 11, 2005.

On August 8, 2005, the undersigned caused a letter to Mr. Jordan's Case Manager, Burney Borden, of the F Unit of the Federal Correctional Penitentiary in Lompoc, California requesting that staff members write character reference letters on Mr. Jordan's behalf. (See Exhibit A). We have been advised that these letters have been completed and they

1 are on Mr. Borden's desk. My secretary, Katina Whalen, has made
2 several attempts to contact Mr. Borden but he has not been available
3 and the facility will not allow her to leave a message on his voice
4 mail. My secretary has attempted to contact Mr. Borden on August 22,
5 2005, by facsimile to have him contact our office, but we still have
6 had no response from Mr. Borden or anyone else from Lompoc concerning
7 these letters. (See Exhibit B). Our office has currently been
8 advised, by Mr. Jordan, that Mr. Borden will not release these letters
9 without an order from this court.

10 A proposed order is attached for the court's convenience.

11 Dated: September 15, 2005

12 Respectfully submitted,

13 QUIN DENVIR
14 Federal Defender

15 /s/ Jeffrey L. Staniels

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JEFFRY L. STANIELS
17 Assistant Federal Defender
Attorney for Defendant
ALLEN RAY JORDAN
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IN THE UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,) NO. CR-S-96-0475-FCD
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Plaintiff,) ORDER RELEASING PROPERTY
)
v.)
)
ALLEN RAY JORDAN,)
)
Defendant.)
)
_____)

For the reasons stated in Defendant ALLEN RAY JORDAN'S ex parte motion for an order releasing property:

IT IS HEREBY ORDERED that the FCI Penitentiary, Lompoc California, immediately release any and all character reference letters on behalf of Allen Ray Jordan to Assistant Federal Defender, Jeffrey L. Staniels of the Office of the Federal Defender located at 801 I Street, 3rd Floor, Sacramento, California 95814.

Dated: September 16, 2005

/s/ Frank C. Damrell Jr.
Hon. Frank C. Damrell Jr.
United States District Judge